

**FEE TRANSMITTAL**

for

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APR 06 2010  
OFFICE OF PETITIONS

Our: FSP0185 (Client code 265851US)  
Application code : 08/816,207  
Patent code: 5805804  
Title: Scalable High Bandwidth Storage Retrieval and Transportation of Multimedia Data on a Network  
Filed on: 3/12/1997  
Status: granted

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TOTAL FEE: \$1340 dollars for an unintentional maintenance fee underpayment

This fee is calculated as follows:

\$2360	current fee amount, payment year 08, (for other than a small entity) on the date the deficiency was paid (3/29/2010)
\$130	surcharge, late payment of maintenance fee (for other than a small entity) on the date the deficiency is paid (3/29/2010)
(\$1,150)	amount of the previous erroneous (small entity) fee payment (paid on 1/24/2006)
<b>\$1,340</b>	<b>deficiency due</b>

Payment is made by Authorization to Charge Deposit Account 501691 for \$1340 dollars.  
PLEASE NOTE **265851US (FSP0185)** AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS TRANSACTION.

Charge unpaid fees and credit overpayments to deposit account 501691. PLEASE NOTE **265851US (FSP0185)** AS THE ATTORNEY DOCKET NUMBER ASSOCIATED WITH THIS TRANSACTION ON THE DEPOSIT ACCOUNT STATEMENT.

Submitted by:

Signature     /Charles A. Mirho/  
                 Charles A. Mirho  
                 Reg. 41,199  
                 Attorney for Applicant

Date: 3/29/10

Address all correspondence to:  
FSP LLC     Attn: Charles A Mirho  
P.O. Box 890 Vancouver, WA 98666-0890  
USA Phone: 360-737-1748   Fax: 360-294-6426

04/01/2010 MBANGURA 00000001 501691 5805804  
01 FC:1559 1330.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO./TITLE
90/008,536	03/22/2007	5805804	66337.009

CHARLES MIRHO  
P.O. BOX 890  
VANCOUVER, WA 98666

CONFIRMATION NO. 1313



\*OC000000024198361\*

Date Mailed: 06/04/2007

## NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/29/2007.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

ATTORNEY/APPLICANT COPY



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90/008,536	03/22/2007	5805804	66337.009

Derek J. Westberg  
The Law Offices of Derek J. Westberg  
Two North Second Street Suite 1390  
San Jose, CA 95113

CONFIRMATION NO. 1313



\*OC000000024198242\*

Date Mailed: 06/04/2007

## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/29/2007.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

CHARLES MIRHO  
P.O. BOX 890  
VANCOUVER, WA 98666

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NEW ATTORNEY/AGENT COPY

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Page | 4

(3) The deficiency owed amount (for each fee erroneously paid)

a. \$1,210 (\$2360 - \$1,150)

(4) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts

a. \$1,340 (\$1,210 deficiency + \$130 late payment surcharge)

The attached Fee Transmittal authorizes payment of any and all deficiencies that are determined to be owed. Furthermore, please charge any additional fees that may be required to settle past or present fee deficiencies in this matter, or apply any credits to our PTO deposit account number: 501691.

Signature     /Charles A. Mirho/  
Charles A. Mirho  
Attorney for Applicant

Date: 3/29/2010  
Reg. 41,199

**FAX COVER SHEET**

<b>TO</b>	
<b>COMPANY</b>	
<b>FAX NUMBER</b>	15712736500
<b>FROM</b>	charles mirho
<b>DATE</b>	2010-03-29 20:52:09 GMT
<b>RE</b>	Patent 5805804

**COVER MESSAGE**

Our: FSP0185 (Client code 265851US)

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Patent code: 5805804

Title: Scalable High Bandwidth Storage Retrieval and Transportation of Multimedia Data on a Network

Filed on: 3/12/1997

Status: granted

I hereby certify that this correspondence is being transmitted via EFS or facsimile to the USPTO (number 571-273-6500) or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

3 pages of maintenance fee deficiency payment

1 page of statement of entity status (other than small)

1 page of fee transmittal

2 pages of power of attorney

**Charles A. Mirho, Esq.**

**Senior IP Counsel**

**FSP LLC**

**fsp-llc-email**

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Application code : 08/816,207

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Page | 1

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Date

/Charles A. Mirho/

NAME Charles A. Mirho



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Page | 2

**Maintenance Fee Payment, Payment of Deficient Maintenance Fees, Authorization to Charge Deposit Account, Change of Entity Status**

Pursuant to 37 C.F.R. 1.28(c) and MPEP 509.03 (X), the possibility of a deficiency in maintenance fee payments has come to our attention in the above-referenced matter, due to a possible change in entity status that occurred between payment of the first and second maintenance fees. The party paying the second maintenance fee (OBLON, SPIVAK, MCCLELLAND, MAIER & NEUST) paid the second fee electronically, which resulted in payment as a small entity. However, in the year before payment of the second maintenance fee, ownership of the patent was transferred to another entity (Broadband Management Solutions, LLC), which may have entailed a change of entity status, from Small to Large.

Payment of small entity fees for the second annuity were made in good faith, and any error appears to be unintentional. If the Office was not notified of a possible loss of entitlement to small entity status as required by 37 C.F.R. § 1.27(g)(2), any error should be excused upon compliance with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2) of MPEP 509.03(X), and the deficiency payment requirement of paragraph (c)(2) of said same section.

**Statement Under 37 C.F.R. § 1.27(g)(2)**

We hereby do make and authorize a deficiency payment based on a previous erroneous payment of a small entity fee. Authorization and/or payment of this fee shall be treated as a notification of a loss of entitlement to small entity status pursuant to 37 C.F.R. § 1.27(g)(2).

**Compliance with 37 C.F.R. 1.28(c)(1)**

This submission is limited to the deficiency payment (all fees paid in error), required by paragraph 37 C.F.R. 1.28(c)(1), for the one patent identified above.

**Compliance with 37 C.F.R. 1.28(c)(2)**

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Page | 3

By way of this submission, any deficiency owed, resulting from the previous erroneous payment of small entity fees, is paid. A fee transmittal and authorization to charge our deposit account for the deficient fees is included herewith.

The deficiency owed for each previous fee erroneously paid as a small entity is the difference between the current fee amount (for other than a small entity) on the date the deficiency is paid in full and the amount of the previous erroneous (small entity) fee payment. This amount is calculated below to be:

\$2360	current fee amount, payment year 08, (for other than a small entity) on the date the deficiency is paid (3/29/10)
\$130	surcharge, late payment of maintenance fee (for other than a small entity) on the date the deficiency is paid (3/29/10)
(\$1,150)	amount of the previous erroneous (small entity) fee payment (on 1/24/2006)
<b>\$1,340</b>	<b>deficiency due</b>

#### **Itemization of the deficiency payment**

An itemization of the total deficiency payment is provided below. The itemization includes the following information:

- (1) Each particular type of fee that was erroneously paid as a small entity along with the current fee amount for a non-small entity
  - a. (\$1,150)  
amount of the previous erroneous (small entity) fee payment payment year 08, (for other than a small entity)
  - b. \$2360  
current fee amount, payment year 08, (for other than a small entity) on the date the deficiency is paid
- (2) The small entity fee actually paid, and when
  - a. \$1,150 on 01/24/2006  
maintenance fee payment year 08, (for other than a small entity)

**STATEMENT CHANGING ENTITY STATUS**

**for**

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ARRIS Group, an owner of a partial interest in the above-referenced patent, hereby states and declares that it is other than a small entity.

Submitted by:

Signature	/Charles A. Mirho/ Charles A. Mirho Reg. 41,199 Attorney for Applicant	Date: 3/29/10
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